

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE SHIELD
ANTITRUST LITIGATION
(MDL No. 2406)**

Master File No. 2:13-CV-20000-RDP

**This document relates to Provider-Track
cases.**

**DEFENDANTS' MOTION REGARDING THE ANTITRUST STANDARD OF REVIEW
APPLICABLE TO PROVIDER PLAINTIFFS' SECTION 1 CLAIMS PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 56**

Defendants hereby move, pursuant to Federal Rule of Civil Procedure 56, for an order granting summary judgment for Defendants on Provider Plaintiffs' *per se* Claims arising under Section 1 of the Sherman Act. For the reasons set forth in Defendants' accompanying Opening Brief on the Antitrust Standard of Review Applicable to Provider Plaintiffs' Section 1 Claims, Defendants respectfully request that the Court grant their Motion in its entirety and analyze Provider Plaintiffs' Section 1 claims under the rule of reason.

Dated: May 21, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on May 21, 2021, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

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